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May 29, 2019

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VIA ECF

The Hon. Freda L. Wolfson, U.S.D.J.
Clarkson S. Fisher Building & U. S. Courthouse
Room 5050
402 East State Street
Trenton, NJ 08608

**Re: In re: Johnson & Johnson Talcum Powder Products Marketing, Sales Practices and Products Liability Litigation,
MDL 16-2738**

Applicable to All Actions Filed Against Specially-Appearing Defendant PTI Royston, LLC and PTI Union, LLC

Letter Concerning Partial Joinder in J&J Omnibus *Daubert* Motion to Exclude the Opinions of Plaintiffs' Experts for General Causation

Dear Judge Wolfson:

I am writing on behalf of my clients, Specially-Appearing Defendant PTI Royston, LLC ("Royston")¹ and Defendant PTI Union, LLC ("Union"). Pursuant to the Court's Amended Case Management Order No. 12 for expert witnesses and *Daubert* proceedings, Royston and Union submit this Joinder Partially Adopting the Omnibus Motion to Exclude the Opinions of Plaintiffs' Experts for General Causation *Daubert* Hearing filed by Defendants Johnson & Johnson and Johnson & Johnson Consumer Inc. (hereinafter, the "J&J Omnibus *Daubert* Motion").

The J&J Omnibus *Daubert* Motion is supported by seven memoranda of law. *See* Doc. 9723 at 1–9 (May 7, 2019). The arguments in these memoranda are equally applicable to Royston and Union with one exception. So as not to burden the Court with duplicative briefing, Royston and Union join and adopt the arguments with which they agree.

In particular, Royston and Union join and adopt all arguments in the following six memoranda: (1) Memorandum of Law in Support of Motion to Exclude Plaintiffs' Experts' Opinions Related to Biological Plausibility (ECF Doc. No. 9736–1); (2)

¹ This is a special/limited appearance by Royston inasmuch as Royston has filed motions to dismiss for lack of personal jurisdiction in the cases in which it is named as a defendant. By making this special/limited appearance, Royston does not waive its objections to lack of personal jurisdiction.



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Memorandum of Law in Support of Motion to Exclude Expert Opinions of Ghassan Saed (Doc. 9736-2); (3) Memorandum of Law in Support of Motion to Exclude Plaintiffs' Experts' Asbestos-Related Opinions (Doc. 9736-3); (4) Memorandum of Law in Support of Motion to Exclude Plaintiffs' Experts' Opinions Regarding Alleged Heavy Metals and Fragrances in Johnson's Baby Powder and Shower to Shower (Doc. 9736-4); (5) Memorandum of Law in Support of Motion to Exclude Plaintiffs' Experts' Opinions Unrelated to General Causation (Doc. 9736-5); and (6) Memorandum of Law in Support of Conditional Motion to Exclude Certain Plaintiffs' Experts' Opinions for Lack of Qualifications (Doc. 9736-6).

In addition, Royston and Union move to join and adopt all arguments in the Memorandum of Law in Support of Motion to Exclude Plaintiffs' General Causation Opinions (Doc. 9736) with the exception of the argument in the subsection entitled "Disease Latency and Study Follow-Up" (*see id.* at 53-56, PageID 37492-95) to the extent that argument seeks to exclude opinions concerning a latency period between talc exposure and ovarian cancer.

Royston and Union reserve the right to supplement J&J's briefing to the extent any argument in which they join becomes inapplicable to Royston and Union.

Sincerely,

TUCKER ELLIS LLP

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cc: All Counsel of Record (via ECF)